

Historic Resources Commission Meeting Minutes of July 11, 2007

Members Present: Alice Keller, Jack Bebbler, Rob Moody, Jay Winer, Lupe Perez, Marsha Shortell, Scott Riviere, Diane Duermit, Suzanne Jones Cheryl McMurry

Members Absent: Todd Williams, Amanda Starcher, John Cram, Alice Coppedge

Staff: Stacy Merten, Curt Euler, Jennifer Blevins

Public: Sharon Fahrer, John Kisner, Fred Eggerton, Jim Thompson, Jane Mathews

Call to Order: Chair Shortell called the meeting to order at 4:05 p.m. with a quorum present.

Adoption of Minutes: Commissioner Winer made a motion to adopt the June, 2007 minutes as written.
Second by: Commissioner Duermit
Vote for: All

Public Hearings:

Agenda Item

Owner/Applicant : Brownie Newman/David Hill
Subject Property: 285 Montford Ave.
Hearing Date: July 11, 2007
Historic District: Montford
PIN: 9649.13-03-2947
Zoning District: RM-8
Other Permits: Building & Zoning

Ms. Merten told the Commissioners that the applicant requested a continuance.
Commissioner Riviere made a motion to continue the hearing until the August 8, 2007 meeting.
Second by: Commissioner Moody
Vote for: All

Agenda Item

Owner/Applicant : Sharon Fahrer
Subject Property: 55 Short Street
Hearing Date: July 11, 2007
Historic District: Montford
PIN: 9649.17-11-7870
Zoning District: RM-8
Other Permits: Building & Zoning

Staff Comments	Ms. Merten showed slides of the subject property and reviewed the staff report. She stated that if it is determined that the porch must be rebuilt, as much of the existing material as possible should be reused. She also noted that the porch posts should be placed as they are currently.
Applicant(s) or Applicant Representative(s)	Sharon Fahrer, the property owner, explained that the true condition of the porch is unknown because much of it is covered with carpet and aluminum siding. She told the Commissioners that none of the windows appear to be original except possibly one on the rear shed addition. She explained that if it is found that any window openings have changed from their original size, her intention is to replace those windows with new wood windows of the appropriate size.
Public Comment	
Speaker Name	Issue(s)
None	

Commission Comments/Discussion

Commissioner Riviere confirmed with Ms. Fahrer that she understood that the front porch configuration should remain the same and that all materials possible should be reused. The Commissioners also pointed out that there may be original architectural features hidden behind the aluminum siding and they should be saved if present.

Commission Action

MOTION TO ADOPT FINDINGS OF FACT

Madam Chair, based upon the evidence presented to this Commission, including Exhibit A – scope of work summary; Exhibit B – 12 photographs; Exhibit C – window and door specifications; Exhibit D –elevations and floor plans; and the Commission’s actual inspection and review of subject property by all members;

I move that this Commission adopt the following FINDINGS OF FACT:

1. That notice of public hearing on this application was published in the Asheville Citizen-Times on the 27th day of June, 2007, and that each owner of real property situated within two hundred feet of the subject property were notified of this hearing in the mail on the 27th day of June, 2007 as indicated by Exhibits E and F.
2. That at this hearing the applicant and affected property owners were all given the opportunity to offer oral and documentary evidence as well as submit questions to each other, the Historic Resources Commission staff and Commission members.
3. Application is to renovate structure per attached plans. Work to include the following:
 - 1) Rebuild front porch as necessary, reusing as much original material as possible. Any new materials will match the original;
 - 2) Replace existing non-original aluminum front door with wood Arts & Crafts style door;
 - 3) Replace the non-original rear shed roof with a hipped roof;
 - 4) Replace rear shed window on Cumberland Place side if beyond repair, new window will be wood, double hung, SDL, 2 over 2;
 - 5) Replace smaller window on Cumberland Place side if necessary to match original opening;
 - 6) Replace non-original shed door with solid wood door;

7) Remove aluminum carport, shed roof over oil tank and the oil tank; 8) Replace basement jalousie windows on rear elevation to match original 2 over 2 configuration;
9) Remove all windows on shed addition and replace with one wood, double hung, SDL, 2 over 2 window on rear elevation. **All permits, variances, or approvals as required by law must be obtained before work may commence.**

4. That the guidelines for Windows & Doors found on page 25, The Guidelines for Porches Entrances and Balconies found on pages 28-30, and Roofs found on pages 32-33 in *The Design Review Guidelines for the Montford Historic District* adopted on December 8, 1999, were used to evaluate this request.

5. This application **does** meet the design guidelines for the following reasons:

1. The historic character of the house will be restored and non-original inappropriate alterations will be reversed.

6. That the action and improvements proposed in the application before us for a Certificate of Appropriateness **are** compatible with the historic aspects and character of the Montford Historic District.

Motion by: Commissioner Winer
Second by: Commissioner Jones
Vote for: All

Based upon the foregoing FINDINGS OF FACT and for the reasons set forth therein, I move that a Certificate of Appropriateness be **issued with the following conditions:**
Any original features found when siding is removed will be retained and restored.

Motion by: Commissioner Winer
Second by: Commissioner Jones
Vote for: All

Agenda Item

Owner/Applicant: Jessica Kirby
Subject Property: 40 Elizabeth Street
Hearing Date: July 11, 2007
Historic District: Montford
PIN: 9649.13-22-4750
Zoning District: RM-8
Other Permits: Building & Zoning

Staff Comments	Ms. Merten told the Commissioners that the applicant was not present. There was discussion about whether or not to hold the hearing in her absence. Chair Shortell suggested that Ms. Merten deliver the staff report and then the Commission would decide whether or not to proceed with the rest of the hearing. Ms. Merten showed slides of the subject property and explained that the work proposed on the application has already been completed. She stated her opinion that the reconfiguration of the steps,
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	addition of the shed roof, gravel driveway, basement window and doors meet the guidelines as minor construction on the rear of the structure and could have been approved prior to construction. She told the Commissioners that in order for the deck to remain, they would have to approve flexible development because it is built within the required setback. She stated that flexible development is intended for use when the guidelines conflict with the zoning ordinance and said she could not recommend approval because the guidelines state very clearly that decks are strongly discouraged.
Applicant(s) or Applicant Representative(s)	None
Public Comment	
Speaker Name	Issue(s)
None	

Commission Comments/Discussion

Chair Shortell asked for clarification on the applicant's request. Ms. Merten explained that Ms. Kirby wants approval for all of the work as built, but that she did submit a proposal showing a smaller sized deck, which would not encroach, but would still be visible from the street and may require a railing. After some discussion, the Commissioners decided that although it would be preferable for Ms. Kirby to be present, they would proceed because there would be no guarantee that she would attend the hearing if it were continued until the next meeting.

The Commissioners discussed their concerns about setting a precedent for approving flexible development for something that conflicts with the guidelines. They agreed that they could not approve the flexible development request. Commissioner Duermit noted that there are some items in the application that do meet the guidelines so it could be partially approved. Some of the Commissioners were concerned about amending the application without the request or consent of the applicant and felt that the entire application should be denied since it could not be approved as submitted. Mr. Euler advised that it may not be appropriate to deny the entire application because of the items that do meet the guidelines. Ms. Merten noted that in most cases, amendments involve a design change agreed to by the Commissioners and the applicant, not just the omission of a portion of the project, but that since this was already constructed the situation was different. After further discussion, Commissioner Duermit made the following motion:

Commission Action

MOTION TO ADOPT FINDINGS OF FACT

Madam Chair, based upon the evidence presented to this Commission, including Exhibit A – flexible development application; Exhibit B – proposed site plan; Exhibit C – copy of original plat; Exhibit D – east elevation; Exhibit E – 12 photographs; Exhibit F – existing site plan; and the Commission's actual inspection and review of subject property by all members;

I move that this Commission adopt the following FINDINGS OF FACT:

1. That notice of public hearing on this application was published in the Asheville Citizen-Times on the 27th day of June, 2007, and that each owner of real property situated within two hundred

feet of the subject property were notified of this hearing in the mail on the 27th day of June, 2007 as indicated by Exhibits G and H.

2. That at this hearing the applicant and affected property owners were all given the opportunity to offer oral and documentary evidence as well as submit questions to each other, the Historic Resources Commission staff and Commission members.

3. Application is to construct a deck approximately 14' x 13', re-configure rear stairs, construct shed roof overhang over basement door, replace basement door, construct gravel driveway. Apply flexible development to allow deck to encroach in rear setback. **All permits, variances, or approvals as required by law must be obtained before work may commence.**

4. That the guidelines for Decks found on page 31, and Porches, Entrances and Balconies in *The Design Review Guidelines for the Montford Historic District* adopted on December 8, 1999, were used to evaluate this request.

5. This application **does** meet the design guidelines, with the exception of the deck, for the following reasons:

1. Decks are discouraged and this one encroaches into the rear setback and is visible from the street because of it's location on a corner lot.
2. The other alterations are on the rear of the structure and do not change the character of the house.

6. That the action and improvements proposed in the application before us for a Certificate of Appropriateness **are** compatible, in part, with the historic aspects and character of the Montford Historic District.

Motion by: Commissioner Duermit

Second by: Commissioner Winer

Vote for: Commissioners Duermit, Winer, Bebber, Riviere, McMurry and Chair Shortell

Vote against: Commissioners Keller, Jones, Moody and Perez

Based upon the foregoing FINDINGS OF FACT and for the reasons set forth therein, I move that a Certificate of Appropriateness be **issued as amended**.

Motion by: Commissioner Duermit

Second by: Commissioner Riviere

Vote for: Commissioners Duermit, Winer, Bebber, Riviere, McMurry and Chair Shortell

Vote against: Commissioners Keller, Jones, Moody and Perez

Preliminary Review:

Agenda Item

Owner/Applicant :	Nathan Boniske and Jennie Liu
Subject Property:	54/56 Starnes Ave.
Hearing Date:	July 11, 2007
Historic District:	Montford

PIN: 9649.18-22-7004, 9649.18-22-6987
Zoning District: RM-8
Other Permits: Building & Zoning

Staff Comments	Ms. Merten showed slides of the subject property and reviewed the staff report. She noted her concerns about the non-traditional orientation of the proposed outbuilding and the turret on the same building.
Applicant(s) or Applicant Representative(s)	John Kisner, project architect, passed out copies of elevations for the proposed new buildings. He explained that building number one will front onto Flint Street and building number two will technically be an accessory structure to the existing house at 54 Starnes Avenue. He displayed a page from the Sanborn maps showing two houses on an unnamed alley off of Magnolia Avenue with similar orientation as a precedent for his proposal. He explained that the proposed building two is turned so that the office space on the lower level will face the alley entrance and the living space above will have views of a garden area.
Public Comment	
Speaker Name	Issue(s)
Fred Eggerton	Mr. Eggerton stated that he is not against the project, but expressed concern about the unusual orientation of the second structure.

Commission Comments/Discussion

There was discussion about whether building two should be reviewed using the guidelines for a main building or an outbuilding. Several Commissioners were concerned that the precedent Mr. Kisner presented was not appropriate. It was noted that most precedents are part of a pattern and this one seems to be an anomaly. There was also concern that the subject property is in a very prominent and highly visible location at the entrance to the district, not an alley off of a smaller street. Commissioner Riviere pointed out that the site is elevated so it would be even more prominent. There was discussion about the elevations and what would be considered the front of building number two. Commissioner Perez noted that there was no clear main entrance and said that it was important for one or the other of the entrances to read as the main one. He said the orientation would help determine which one it should be. The Commissioners were concerned that if the structure is to read as an accessory building, it is too large and should not have a turret. Mr. Kisner asked for the size limit for accessory buildings. The Commissioners replied that it's a matter of scale and proportion to the main building, not a specific number of square feet. Chair Shortell said that the Commissioners would have difficulty offering feedback on design elements without knowing how the building would be oriented. She suggested that a design team visit the site and Mr. Kisner offered to flag the corners of the proposed building. Commissioners McMurry, Moody and Jones volunteered to participate.

Commission Action

None

Public Hearings continued:

Agenda Item

Owner/Applicant: Jim Thomson and Diane Jortner
Subject Property: 170 Cumberland Ave.
Hearing Date: July 11, 2007
Historic District: Montford
PIN: 9649.13-13-11221
Zoning District: RM-8
Other Permits: Building & Zoning

Staff Comments	Ms. Merten showed slides of the subject property and reviewed the staff report. She noted her concerns about the skylights and the metal garage doors.
Applicant(s) or Applicant Representative(s)	Jane Mathews, project architect, pointed out the distance of the proposed addition from the alley, the roof pitch and the grade change. She displayed an illustration and photographs showing the sight line from the alley to demonstrate that the skylights would be inconspicuous. She also passed around specifications for the Coachman brand garage doors.
Public Comment	
Speaker Name	Issue(s)
None	

Commission Comments/Discussion

Commissioner Riviere stated that the proposed skylights are inconspicuous because they are on a section of roof that is close to the ground. Commissioner McMurry pointed out that the drawings make the skylights look much more conspicuous than they would actually be because the frames will be the same color as the roof shingles. There was discussion about the garage doors and the Commission's interpretation, based on precedent, is that the reference in the guidelines to the inappropriateness of metal doors applies to both pedestrian and garage doors. Ms. Mathews agreed to use wood doors of the same design as the metal doors.

Commission Action

MOTION TO ADOPT FINDINGS OF FACT

Madam Chair, based upon the evidence presented to this Commission, including Exhibit A – scope of work summary; Exhibit B – new construction checklist; Exhibit C – 25 photographs; Exhibit D – existing floor plans and elevations; Exhibit E – proposed floor plans and elevations; Exhibit F – proposed garage floor plans and elevations; Exhibit G – existing and proposed site plans; Exhibit H – garage door specifications; Exhibit I – 2 sheets photographs; Exhibit J – sight line illustration; and the Commission's actual inspection and review of subject property by all members;

I move that this Commission adopt the following FINDINGS OF FACT:

1. That notice of public hearing on this application was published in the Asheville Citizen-Times on the 27th day of June, 2007, and that each owner of real property situated within two hundred feet of the subject property were notified of this hearing in the mail on the 27th day of June, 2007 as indicated by Exhibits K and L.

2. That at this hearing the applicant and affected property owners were all given the opportunity to offer oral and documentary evidence as well as submit questions to each other, the Historic Resources Commission staff and Commission members.

3. Application is to construct 46½' X 8' 8" addition on rear of existing structure per attached plans. All exterior materials will match existing, with wood lap siding on first floor and wood shingles above. New windows will be wood double hung and casement. Install skylights on rear roof. Metal chimney flue will be 30" above roof line. Construct new garage with gambrel style roof per attached plans. Windows will be wood, two over one. Pedestrian doors will be wood panel. Garage doors will be wood, designed as shown in approved drawings. All exterior building materials will match main house. Reconfigure gravel driveway and build stone retaining wall. **All permits, variances, or approvals as required by law must be obtained before work may commence.**

4. That the guidelines for Additions to Buildings in the Montford Historic District found on page 55 and the guidelines for Carriage Houses, Garages and Outbuildings found on pages 52-53 in *The Design Review Guidelines for the Montford Historic District* adopted on December 8, 1999, were used to evaluate this request.

5. This application **does** meet the design guidelines for the following reasons:

1. Roof forms on previous additions will be made more consistent and blend better with structure.
2. New materials will match original.
3. New structure will be compatible with main structure.
4. Skylights are as inconspicuous as possible because they are placed on a lower roof section with a gentle slope and they will be painted to blend with the roof color.

6. That the action and improvements proposed in the application before us for a Certificate of Appropriateness **are** compatible with the historic aspects and character of the Montford Historic District.

Motion by: Commissioner Jones

Second by: Commissioner Perez

Vote for: All

Based upon the foregoing FINDINGS OF FACT and for the reasons set forth therein, I move that a Certificate of Appropriateness be **issued**.

Motion by: Commissioner Jones

Second by: Commissioner Moody

Vote for: All

Other Business:

Ms. Merten asked the Commissioners to forward any comments on the Hammond-Knowlton House landmark report to her and told them she would sent the report to the SHPO for their comments as well.

Fred Eggerton invited the Commissioners to a reception at the Rankin-Bearden House.

Chair Shortell adjourned the meeting at 6:35 p.m.